

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:10CR3111
	)	
v.	)	
	)	
LUIS A. CRUZ,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	
_____	)	

At the Defendant's oral request and with the parties' consent,

IT IS ORDERED:

- 1) The defendant's Competency Hearing is continued to Monday, August 22, 2011 at 10:30 A.M.
- 2) The ends of justice served by granting defendant's request to change the competency hearing outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and the competency hearing, shall be deemed excluded in any computation of time under the requirements of the Speedy Trial Act, for the reason of defendant's counsel's availability and additional time to adequately prepare, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7).

DATED this 8<sup>th</sup> day of July, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge